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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/625,837

07/22/2003

Charles H. Reynolds

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EXAMINER

KAPLAN, HAL IRA

ART UNIT

PAPER NUMBER

2836

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/625,837	Applicant(s) REYNOLDS ET AL.	
	Examiner Hal I. Kaplan	Art Unit 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 14, 16, 17 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-11, 14, 16, 17 and 19-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on July 22, 2003. These drawings are accepted.

Claim Objections

2. Claim 14 is objected to because of the following informalities: Claim 14, line 14, "interface;" should be "interface; and". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 7-11, 14, 16, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by the US patent of Ewing et al. (7,043,543).

As to claim 7, Ewing, drawn to a vertical-mount electrical power distribution plugstrip, discloses a smart power manager monitor comprising: a logic controller (224,406, microprocessor of Figure 3) able to execute logic instructions and operatively connected to: one or more interface connections (236,238,240) (see column 4, line 64 - column 5, line 3); a memory storing logic instructions (see column 4, lines 11-13); the logic controller (224,406) separately controlling on and off states for two or more relays (212,401-404) each individually connecting a power source (operating power) to a power output (see column 3, lines 53-62; column 7, lines 56-65; and Figures 2, 3, and

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4A); the controller receiving current draw data (amps) from two or more current sensors (210) each individually sensing current drawn through one of the relays (212,401-404), the current sensors thereby providing separate current readings for separate power outputs to the logic controller (224,406,microprocessor of Figure 3) (see column 3, lines 53-62; column 4, lines 50-54; column 7, lines 56-65; and Figures 2 and 3); the logic controller thereby able to report current draw data (amps) for two or more of the power outputs using the interface connections (236,238,240); and an inlet (108) for receiving power from an external source (see column 3, lines 9-10).

As to claim 8, the device of Ewing has multiple network connections (232) and a direct serial connection (see column 4, lines 57-59 and 64-66).

As to claim 9, the logic circuitry of Ewing provides a web-based interface (238), a telnet interface (236), and an SNMP interface (240) (see column 5, lines 1-3).

As to claim 10, the logic circuitry of Ewing comprises a microcontroller (see column 7, lines 1-2 and Figure 3).

As to claim 11, the logic circuitry of Ewing further comprises one or more processors for operating the interfaces and/or the outlets (see column 8, lines 16-19).

As to claim 14, Ewing discloses a method of managing power within an information appliance comprising: receiving power from an external source at a first connector (108) (see column 3, lines 9-10); connecting power to two or more controllable relays (212,401-404), the controllable relays (212,401-404) providing two or more managed power domains for information appliance components (see column 3, lines 53-62 and column 7, lines 56-65); sensing current using two or more current

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sensors (210), each individually sensing current drawn through the two or more controllable relays (212,401-404), the two or more current sensors (210) thereby providing separate current readings for the separate power domains; and providing at least one physical communication interface (412) with power connections outside of the managed power domains (see column 7, lines 64-65 and Figure 4A); and executing logic instructions on power management components (constituent hardware of power manager 406) powered outside of the managed power domains for controlling the relays (212,401-404) and communicating on the communication interface (412); and executing logic instructions on the power management components to receive individual current monitoring results and to provide the results to users over the communication interface (see column 7, line 56 - column 8, line 9 and Figures 4A and 4B).

As to claim 16, the method of Ewing further comprises providing at least one user interface (232,236,238,240), the interfaces allowing for communication between the user and the information appliance components via the power management components.

As to claim 20, Ewing discloses the power being received on a main processing board of the host computer, and controllable relays (212) residing on the main board (see column 3, lines 51-62 and Figure 2).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ewing in view of the US patent of Truong et al. (6,160,873).

As to claim 17, Ewing discloses all of the claimed features, as set forth above,

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except for the steps of registering user indications to configure and/or change operating states of the outputs, and using power management logic to change states and/or configurations of the outputs in accordance with the user indications. Truong, drawn to a system and method for remotely initializing, operating and monitoring a general-purpose computer, discloses a method comprising: providing a user interface allowing a user to independently schedule switching power on and off for a power domain (38); receiving user indications to configure and/or change the operating state of the power domain; and using power management logic operatively connected to the domains to change the state of the domain in accordance with the user indications (see Abstract, lines 1-9; column 5, lines 6-7; and column 17, lines 2-17 and 34-42). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to change the interface of Ewing to allow a user to schedule power on/off events and use the power management logic to effect the power on/off events, because the user would not have to be physically present every time the power must be turned on or off.

6. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ewing in view of the US patent of Reitmeier (7,068,145).

As to claim 19, Ewing discloses all of the claimed features, as set forth above, except for accepting indications registering one or more non-administrator users, and granting them access to one or more of the domains. Reitmeier, drawn to a method and device for controlling household appliances, discloses a method comprising: accepting indications (biometric recognition) registering one or more non-administrator users; and granting non-administrator users (normal users) access individually to one or

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more of the domains. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify Ewing so that some users have more access than others, in order to protect the system from unauthorized use.

7. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewing.

As to claims 21 and 22, Ewing does not disclose receiving the power on a component board (daughterboard). However, Ewing discloses receiving the power on the main processing board, as set forth above. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify Ewing so that the power is received on a component board, because it has been held that making a part separable rather than bodily incorporated in the invention requires only ordinary skill in the art and hence is considered a routine expedient and thus carries no patentable weight. *In re Dulberg*, 289 F.2d 522, 523, 129 USPQ 348, 349 (CCPA 1961). See MPEP §2144.04(V)(C).

Response to Arguments

8. Applicant's arguments, see Remarks, filed April 2, 2008, with respect to the objections to the specification, drawings, and claims 16, 17, and 19 have been fully considered and are persuasive. The objections have been withdrawn.

9. Applicant's arguments with respect to claim 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal I. Kaplan whose telephone number is 571-272-8587. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on 571-272-2084. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael J Sherry/
Supervisory Patent Examiner, Art Unit 2836

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